FRIDAY, MARCH 80, 1906.

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Shameless Absolutism.

We observe that a President of the United States, in an official document, has referred to the diplomatic relations of the United States with a certain foreign Government as if they were conducted by himself individually, and almost as if they concerned himself as a sovereign:

"Between the Executive of the United States and the Government of the United Netherlands but little intercourse has taken place during the last year."

Those who are on the watch for the first symptoms of usurpation, for the primary indications of the spirit of monarchical institutions, for the insolent tone of proprietorship, will notice with apprehension that this President, probably for the first time in our history, speaks of intercourse not between the Government of the United States and the Government of the United Netherlands, but between himself, the Executive, and that foreign Government.

The Government of the United States is absolutely ignored in the form of phraseology here employed by President GEORGE WASHINGTON in a communication addressed to the Congress on February 28, 1795, one hundred and eleven years ago last month.

The Dual Senator.

Psychologists are always interested in the Hon. BENJAMIN RYAN TILLMAN. He is a case, almost a leading case, of double personality, of "possession," as it would have been called up to the eighteenth century or later. There is the normal, acute, courteous, intellectually well balanced Senator and public servant, with the salient and engaging personal qualities that have made him almost the spoiled child of the Senate, but without the bitterness, the violence, the tendency to impute motives, the genius of vituperation, most of the habits of speech derived from the impassioned shindies of the Palmetto stump and back country billingsgate. There is the subliminal demonio TILL-MAN, jumping up suddenly from under the threshold of the consciousness and hurling words as mischievous spirits are supposed to hurl stones and things in haunted houses.

Fortunately, the good angel fires the bad out most of the time. Mr. TILLMAN grows in grace every day, and even his occasional lapses, the peekings of the muckle black deil over the threshold, cannot be censured very gravely. They have the charm and piquancy of contrast. The Senator's proper personality gets a certain accent from his improper personality.

Still, the muckle black deil puts things in the Senator's mouth sometimes. From the muckle black deil's rictus came this sneer Tuesday:

" Judge HUMPHREYS, one of your immaculate

This was rather a sneer at the whole Federal bench than at Judge Hum-PHREYS, but Mr. FORAKER defended the latter. Mr. TILLMAN denied that he had "criticised or abused" Judge HUMcondition of the country." So Mr. TILLMAN's friends must regret

the occasional eruptions of the muckle by Mr. Peirce as not inspiring confiblack deil. It was Auld Clootie that sneered at the Federal bench. Of a part of it the supraliminal Mr. TILLMAN spoke praise:

"I want to say here and now that I have faith in the ability and patriotism and learning of the Supreme Court of the United States, which every American ought to have, and I do not believe that that court will ever declare that Congress is power less to help the people and relieve them from this infamous condition which has been disclosed."

Mr. FORAKER was glad to hear it. But he mentioned the fact that within ten days Mr. TILLMAN had said, in effect, that the people would find a way "to reform the Supreme Court" if it didn't hold that Congress had the power to legislate, as proposed, on railroad rate regulation. "That was a warning," Mr. TILLMAN replied, "and I had a right to warn the court even if I am a cornfield lawyer."

It was not the cornfield lawyer that "warned" the Supreme Court. It was the muckle black deil. It is important to keep in mind the two TILLMANS, and to distribute their respective monologues and dialogues in the Congressional Record.

Three Billions of Foreign Commerce.

The total of our foreign commerce, export and import, first reached the billion dollar mark in 1872. It was 1900, twenty-eight years later, when it reached the two billion dollar mark. If the trade of the remaining third of the current fiscal year maintains the pace of the elapsed two-thirds the three billion dollar point will be touched when the books are closed on the 30th of next June. We were nearly a hundred years in reaching the first stage, twenty-eight years in reaching the second and will reach, or very nearly reach, the third in six years. During the last eight months we have imported more than we imhave exported a little less than we did during that year. If we keep up the pace we shall this year import \$1,200,000,-000 worth of merchandise and export county, his legal residence was in

\$1,800,000,000 worth.

the corresponding period of the preceding year, there is a gain of \$200,000,000 in exports and \$70,000,000 in imports. Of this gain in en orts the sum of \$140,000,000 appears in the European account. This increase is due in large part, though not entirely, to increased export of foodstuffs and to higher price for raw cotton. The increase in accounts with our neighbors on the North American continent a little exceeds \$30,000,000, of which \$9,000,000 appears in our sales to Canada, \$8,000,000 in those to Mexico and \$8,000,000 in sales to Cuba. The remainder is distributed. The purchases of South America are increased \$14,000,000, or about 40 per cent. The increase to Asia is about \$4,500,000, to Oceanica \$550,000 and to Africa \$1,700,000. During this period of eight months our sales to little Cuba exceed those to the Chinese Empire. Our sales to Mexico are greater by \$10,000,000 than our sales to Japan, while Canada bought \$23,000,000 more than did the whole of Asia. The Central American States bought as much as did the whole of Africa. Our export of manufactures shows for the period an increase of \$45,000,000.

If we keep on at this rate we may yet become a commercial nation.

A Scandal East of Sucz

It was optional with Secretary Root to send to the House of Representatives the report of Third Assistant HERBERT H. D. PEIRCE upon the consulates in the Orient which he inspected. As originally drawn the resolution "directed" the Secretary of State to furnish the results of Mr. PEIRCE's inquiries and observations, which were known to be sensational. It had leaked out. On March 8 the resolution was amended so as to request compliance "if not incompatible with the public service." Evidently Mr. Root did not think the service would be damaged by the seamy revelations, except in one instance, which must have been unprintable, for he suppressed it. Not only does the Secretary approve of publicity, but he intimates that the tale of consular lapses from grace is not half told. He really seems glad to let Congress know the worst, as the only way to bring it to its senses as the accomplice before the fact

Who are responsible for vagabond and grafting Consuls, loose fish, incompetents and raffish fellows in the service if not Congressmen, whose influence puts them there, and has kept them "East of Suez," where they recognize no commandments and scorn the business code? So Secretary Root let Congress know the truth, but not all the truth, for, in the words of ARTEMUS WARD, that would be "2 mutch." Says the Secretary, with a cynical relish in the equities of the affair: "All of these cases show the necessity of a regular inspection service to keep the Department advised whether the Consuls are doing well or ill in their distant stations. An occasional brief visit like that of Mr. PEIRCE to a few consulates is quite insufficient." It is no violation of confidence to say

that the Hon. HERBERT H. D. PEIRCE is not a Sherlock Holmes, nor by temperament a severe critic. Sharper eyes would have seen more than he did, and a shrewder talent for inquisition would have made the indictment darker. But hedid not have to spy or ferret; the whole of the Penal Code. Their proprietors business East rose at him and dinned things into his ears. Some of the black | cution and severe punishment for their sheep are out now, but the mischief has acts. The law is ample to close every been done: it will take years of the square deal and the simple life to remove the stain on the national escutcheon. One morals or business honesty when he was sober. There are some ugly tales told about him. The habits of another were disgraceful; everywhere Mr. PEIRCE heard how bad they were—the man made even the East smell worse. Another Consul, a robust sinner, had a list of charges against him as long as a trade catalogue; he carried things with a high hand; he was a law unto himself; he bestrode the East like a colossus with a PHREYS; he was "only criticising or cinch; the fellow must have taken as lamenting with his jaundiced vision the long as Lucifer to fall. Others none too good, but having some regard for the Ten Commandments, are underscored dence, or, at the best, as not being useful in their "present capacity." It is clear the tolerant Third Assistant Secretary gave up as he passed by.

Let us hope that Congress will take the lesson to heart.

The End of a Useful Life.

We regret to have to record the death of Judge WILMOT M. SMITH, which occurred at Patchogue, Long Island, early yesterday morning. It denotes the termination of a career which may well serve as a model to the Judiciary of this State. In the character, learning and capacity requisite for the best work of our Supreme Court Justices, numerous as they are and able as are many of them: and sweetness of disposition we doubt whether he had an equal.

Judge SMITH was a Suffolk county lad who, like so many other country boys who have risen to distinction, obtained his education at Cornell University, where he was a contemporary of the late JOSEPH C. HENDRIX. In college HENDRIX was so poor that he had to keep himself warm by making folds of newspaper fulfil the functions of an overcoat; yet he achieved a success in finance equal to that of his friend in the law, leaving a fortune of a million dollars at the time of his early death. After his admission to the bar, WILMOT M. SMITH began the practice of his profession in his native county, where he successively held the offices of District Attorney and County Judge, being promoted from the latter post to that of Justice of the Supreme Court at the general election in 1894. At that time it was thirty years since Suffolk county had had a resident Supreme Court ported during the full year of 1899 and Justice, his predecessor being the late SELAH B. STRONG of Setauket; for although Judge WILLARD BARTLETT had long had a summer home in Suffolk

Brooklyn. Comparing the last eight months with | Judge SMITH was an ardent Repub-

lican and an active political leader prior to his elevation to the bench. In the latter capacity he performed a great public service, at the time when Judge EDGAR M. CULLEN, now Chief Judge of the Court of Appeals, came up for renomination at the expiration of his first term as a Justice of the Supreme Court. Judge Cullen's impartial administration of his office had excited some opposition to him in his own party, and there were strong intimations of a disposition to select another Democratic candidate. The Republican Judiciary convention met first. Judge SMITH was a leading spirit among the delegates. He insisted that Judge CULLEN deserved the Republican as well as the Democratio nomination. There was strenuous opposition; but after a long struggle he carried the convention and Judge CULLEN was nominated. After this the Democrats could not withhold their support. The good example thus set has ever since persisted in the case of Judge CULLEN, who holds his present high office by reason of having been named therefor by both the Democratic and the Republican State conventions.

It will be seen, therefore, that WILMOT M. SMITH, although a party man, was no partisan so far as the Judiciary was concerned. The same liberality of spirit characterized his action in other matters. Although in his own life he observed the principle of total abstinence from the use of intoxicants, he was not an advocate of oppressive sumptuary legislation, and favored greater freedom in many respects than the law now permits to the residents of great cities. He was a man of generous inpulses and just action; a good example to the cemmunity in which he lived and served, and an admirable public officer. To the State the loss occasioned by his death is great; to the many friends who knew him well and loved him it is irreparable.

"Raines Law Hotels."

If the Rev. Dr. JOHN P. PETERS is correctly informed, a majority of the socalled "Raines law hotels" in the large cities of the State are "infamous resorts' which do not comply with the provisions of the statute and for which licenses were obtained by fraud and perjury. What should be done about them? Dr PETERS, holds that the law must be amended before the evils of which he complains can be corrected, but if the State does not enforce the present statute it is hard to believe that new provisions would be better enforced.

In section 34, subdivision 2, of the liquor tax law it is provided that any "corporation, association, copartnership or person who shall make any false statement in the application" for a liquor tax certificate shall be guilty of a misdemeanor and punishable by a fine of \$500, imprisonment for a year, or both, with forfeiture of the tax paid, and that for a period of one year no certificate shall be issued for the sale of liquor in the premises occupied by such person. Broad and inclusive as this section is it should cover many of the violations of which the Committee of Fourteen has

knowledge. "Infamous resorts" are not protected by any statute of New York State. They exist in defiance of numerous sections and inmates are liable to arrest, prosedisorderly saloon, hotel and other vicious establishment. Such places exist not because of a lack of legislative enactfailure of executive officers to perform

their duties. With high respect for Dr. PETERS, who finds time to conduct the affairs of a large parish, engage in literary pursuits, maintain his place among the leading Assyriologists of the world and all the while take an intelligent and active part in social and political affairs, many persons will continue to believe that the State needs an amendment to the liquor tax law much less than it needs a strict enforcement of the existing statute.

That Isle of Pines Junket.

The proponents of the plan for a nice little Senate junket to Cuba now seek to explain and defend their proposal by was shocked by the secrets the East giving some important reasons for the expedition. Two cases are cited to show the necessity for a Senate investigation on the spot.

A certain Mr. MOERKE, "a citizen of Iowa, who asserts that he went to the island on the assurances of the War Department that it was and would remain American territory, "has refused to pay his taxes, and Cuba seems to have done the proper thing under the circumstances. A certain Mr. STEERE, "once a Republican State committeeman in Florida." refused to deliver some goods of a trial Judge he had no superior among which he had been made the official custodian until he received a payment for storage to the serious amount of and in the rare combination of strength \$10.50. Refusing to surrender a part of the goods, he was tried and punished for malversation of public property.

We hope it is not beyond the bounds of propriety to ask why we maintain a diplomatic and consular corps in Cuba if little claims of this kind must necessarily be made the subject of Senatorial expeditions of investigation. Both of these gentlemen seem to have violated the laws of their adopted country on the basis of an argument which we decline to accept as final, namely, that of assurance by the War Department that the island is and will remain American territory. We admit that a certain Mr. MEIRLEJOHN, now forgotten, did express a personal opinion to that effect, but we deny that it is to be accepted as an authorized official statement which can be regarded as binding on the United States in any way.

If the Senate needs the sworn testimony of Mr. MOERKE and Mr. STEERE or any others, why not let the complainants appear before Minister Mon-GAN or Consul STEINHART, and under oath submit their replies to such questions as may be put to them? That is the usual course in cases of the kind, and they are not at all infrequent. There is no more need of a Senate trip to Cuba to interrogate Mr. STEERS and portrait of my father I have ever seen."

Mr. MOEREE than there was for a Senate trip to Nicaragua to investigate the Albers case, or to Guatemala to look into

the Darling case. Let the island be turned over, without conditions and without reserve, to its rightful owners, and put an end to these twopenny grievances of men who violate the laws of the land in which they live. The United States established those laws, and they remain in force with American official approval and indorse-

Unnecessary Fears of Mr. Malby.

The Hon. GEORGE R. MALBY, protesting on the floor of the Senate against any hasty legislation on insurance matters Wednesday, made this curious statement:

" Why, if this proposition is true, the only living ex-President of the United States will be put or the statute books as an outlaw and a thief, while Justice MORGAN J. O'BRIEN will stand side by side with GROVER CLEVELAND in that class. . . My objection to this bill is that every director is legislated out of office and no proxy is good if collected prior to September 15. That would prohibit GROVER CLEVELAND and MORGAN J. O'BRIEN and PAUL MORTON and all such men, whose integrity is above reproach, from being elected directors."

Senator Malby's fears for the good name and fame of Mr. CLEVELAND and Justice O'BRIEN are unquestionably sincere. Therefore he will be greatly relieved to learn that neither of these highly respectable and highly honored gentlemen is in danger of removal from office as a result of the measure which passed the Senate Wednesday, for several reasons. Mr. CLEVELAND and Justice O'BRIEN are not directors or trustees of any "domestic mutual life insurance corporation." Neither are they directors or trustees of any other domestic insurance corporation. They are trustees of the majority of the stock of the Equitable Life Assurance Society, which is owned by Thomas F. Ryan, and they are in no manner affected by the provisions of the bill which passed the Assembly vesterday.

The Japanese may plume themselves upon a superior civilization in war, but they do not know how to manage a railroad debate in their House of Representatives The story of reversion to type at Tokio must fill even Mr. TILLMAN with concern for free institutions in the Orient.

In deprecating marriage by young officers the Secretary of War would like it to be understood that he has nothing against CUPID: his record speaks for itself

Six of the rioters who recently attempted to destroy the negro quarters of Springfield, Ohio, have been convicted. The jury recommended a fine of \$1 and costs in each case, and the jurymen paid the penalties for the prisoners.

The municipal authorities of Springfield Ohio, fear another outbreak against the

The Howard Standard, a monthly bulletin published by the students of Howard University, Washington, D. C., devotes its March number to the medical department of the school.

In 1867, when he was head of the Bureau for Freedmen, Refugees and Abandoned Lands, General O. O. HOWARD planned a school of theology for freedmen. The scope of the plan was extended to provide for the establishment of a university, with departments of theology, law and medicine in addition to the preparatory and college

The medical school was started in 1868 with three students; this year the enrolment is more than 200, one-fifth that of the quires a faculty of forty instructors in the sub-departments of pharmacy and den-Consul was generally drunk, and had no ment against them, but through the tistry. Since 1868 there have been matriculated 2,500 students, of whom 684 have taken degrees in medicine, 167 in pharmacy and 115 in dentistry—a total of 966.

The university has a general endowment fund of \$175,000 and property valued at \$1,000,000; but the present equipment is inadequate to the growing needs of the institution. Laboratories are especially

Appeals for the cause of education in the South are many, and for the most part as worthy as they are strenuously urged. While adding its voice to the chorus, Howard University proves its zeal by helping itself. The medical faculty contributed \$500 as a nucleus for a students' loan fund, and \$400 more has been collected from the alumni. Five thousand dollars is needed for this purpose. Three new scholarships of \$100 each are announced, to be assigned

Referring to the annual report of the New York State Superintendent of Banking, the London Times says:

"The increase of \$93,807,399 in resources is precedented in the history of the savings bank system, and the more remarkable because arising almost entirely from the increased deposits of thrifty wage earners and not from large deposits vestors. This is shown by the fact that dur ing the past year the number of deposits received was larger by 400,000 than in the previous year, while the number of payments to depositors de creased. The number of open accounts also in-creased to an unprecedented extent, while the average amount of each deposit shows no abnormal gain. Again, the increase in the aggregate of smounts withdrawn by depositors is not at all in proportion to the gain in new deposits, indicating that depositors have not found it necessary to withdraw their savings for current expenses to the same extent as is usually the case. The causes for this remarkable expansion of savings are un doubtedly the absence of important strikes during the year and increased wages, together with plent; of employment owing to the generally prosperous agricultural and industrial condition of the coun-

The Times of London is right, not only as to the State of New York but also as to every State in the Union. Nothing will pull down a savings bank deposit so rapidly as a strike. The strike managers and walking delegates do not suffer. The striker and his family have a monopoly of that.

To the Editor of The Sun—Sir: Please tell me, if you can, why it is that the United States should be flooded with the Canadian dime, a silver piece which some people accept and others do not. It is sufficiently good to buy beer and cigars but it wikinot buy postage stamps in the United States. It seems to me what the United States produce sufficient silver within its own territory to enabl the Government to supply the people with enough dimes to go around and not require us to fall back MARCELLUS LOGA'I. CINCINNATI, Ohio, March 27.

New Portrait of Robert E. Lee. A fine etched portrait of Gen. Robert E. Lee has een published by the John A. Lowell Bank Note Company of Boston. Like some other recent prints from the same publisher it is unusually an etching. The artist has succeeded in making the head very lifelike.

It is not the more familiar presentment of Lee, with the face marked by responsibilities and sadness over a losing fight, but that of an earlier Lee,

THE CONQUEST OF MOUNT COOK.

Another of the high mountains has been conquered. Mount Cook in the New Zealand Alps has long held its head high above any mountaineer who attempted the ascent, and it has been attacked more than once by celebrated Alpinists with good Swiss guides. It has been conquered at last by an Englishman named Turner and three New Zealanders. Mount Cook overtops anything else in New Zealand, though it is about 3,000 feet lower than Mont Blanc. It s not its height that makes Cook difficult, but its immense expanse of snow fields and glaciers, which are exceedingly rugged and trying and more extensive perhaps than those around any other mountain in tem-

perate latitudes of similar elevation. In the present ascent the party used both the Great Tasman and the Hooker glaciers as highways. The New Zealand Alps are of no great extent, and it seems strange that the Tasman glacier should be larger than any in the Caucasus and a close rival to the Aletsch, the largest glacier in the

Alps. From the base camp at the foot of the mountain the ascent and descent took thirty-six hours, during which time the climbers had little to eat and only a snatch or two of sleep. The excitement of dodging the falling ice and stones and the labor of cutting steps in the ice all the way for five hours of the descent kept them from getting drowsy. Turner was hit on the head by a stone, but he was simply wounded not dazed, which would have been much more serious than a superficial wound, for he stood on a dangerous ice slope.

But what do fatigue and hunger and peril count for when compared with the glory of standing on the top of New Zealand The other day one of the Alpine journals published a hair raising photograph taken by a man high up in the air. It showed a climber astride of a sharp rock ridge on a neighboring mountain. The ridge was just far enough out of the perpendicular so that the man, almost prone on his face, by holding on tightly with arms and thighs could hitch along upward. The rope around his waist was taut above him, showing that another devotee was a little nearer the goal. There was a glimpse of a valley about 2,000 feet nearer the sea level, and it did not seem to be a very soft place to drop into if any casualty occurred. These men were going somewhere and were riding this precipitous ridge merely to tell folks they had been there.

Well, if it were not for this variety of the human race our kind would never be seen in the highest places. They have stood on the culminating points of Europe, Africa, South America, Australia and New Zealand. They have not yet reached the top of North America and Asia, but they live in hopes. Perhaps the fever for high mountain climbing will wear away when all the stunts of that sort have been exhausted. The halo of the pioneer explorer and the pioneer mountaineer is brightest, and enthusiasm is not stimulated with only second hand laurels in sight.

A Harvest for the Bar.

TO THE EDITOR OF THE SUN-Sir: Most men in business above the grade of clerks are directors in one or more corporations Many corporations contribute to hospitals, churches, the Salvation Army and other so-called charitable objects not yielding direct commercial returns to their stockholders. Some corporations contribute to political campaigns, especially when an issue like that of free silver or unlimited greenbacks is in question; but frequently without special stimulus.

All such contributions, in the clear white light recently cast upon them, appear unawful, alike for the giver and recipient. Should there not be a strict investigation to disclose all corporate contributions to any object whatever? And should not suits be instituted against all the city churches and hospitals for an accounting to secure the return of all such sums? Upon such an accounting it seems clear that the directors in the various eleemosynary institutions which may have accepted such gifts should be prosecuted criminally as receivers of stolen criminals, the directors, in the donor corpora-

It may be objected that it will be difficult to procure Grand Juries fit to consider such cases, most of the Grand Jury timber being itself subject to attack; but a trivia matter like this should not delay the car of justice. Why not import farmers from up

the State? To one hard worked and ill remunerated profession, that of the lawyers, the immediate future looks rosy. Let the good work NEW YORK, March 29.

The Faithful Trainman

TO THE EDITOR OF THE SUN-Sir: Sunday I found it necessary to make a short trip northward over the New York Central, starting from the Grand Central Station. Shortly after my arrival the train was called and with the surging crowd I passed through the gate and along the platform beyond. At length I halted, as did a number of others, to enter the second coach. One of my fellow travellers, a woman, clasped in her arms a dear little for terrier. The trainman held her up, saying, "You canno carry your dog in the car; it is not allowed." She began to argue, then to remonstrate and finally waxed wroth. "Every Sunday for five years," said she with spirit, "I have taken my dog in th car and no one has objected." "But, madam," re-plied he in courteous tones, "I must carry out my nstructions; there is a State law prohibiting the carrying of dogs in passenger coaches." Finding that he would not be swayed she moved ahead. smarting under the ruling that denied her aristo-cratic terrier the luxuries of modern travel.

How I pitied that woman who had to be deprived of the edifying presence of her four footed companion! But the poor dog—its face wore a haggard-careworn expression and I fancied I could see tears well from its eyes at the thought of riding in the baggage coach ahead.

But let me not diverge. What I wish to do is to commend the pluck and faithfulness of the train-

man who enforced the law regardless of the whimof a woman who had been spoiled by certain other trainmen, wofully derelict in discharging their duties.

Y. WILLIAM JAMES, JR. BROOKLYN, March 26.

Cheerful at One Hundred and Twenty-three. From the St. Christopher Advertiser and Weekly Intelligencer.

The Advertiser yesterday entered upon the one hundred and twenty-fourth year of its existence. The Grenada Chronicie is the next oldest newspaper in the West Indies, being a few months the junior of our periodical. Quite lately, however, there was Grenada contemporary, but it has restarted with new life and vigor. As far as our knowledge goe there has never once been an appreciable break in the regular publication of the Advertiser—five issues only of the paper having lapsed in the long period of one hundred and twenty-three years through circumstances over which there was no control. This length of years has been attained through the patronage of the public, for which v beg to thank them. Of late years, however, things have not been what they should be, but we endeavor to face the altered circumstances in as cheerful spirit as is possible.

A recently submitted official report shows Cana-da's mineral output for 1905 as valued at \$68,000,000, an increase of more than \$8,000,000 over the preceding year. The various products and their

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Iron ore																												13	25.	11	0
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where this came from,

THE LIQUOR TRAFFIC.

nity were made plain by the investigations of

the Committee of Fifteen, of which the late William H. Baldwin, Jr., was chairman, and

any one who wishes to understand the infa-mous character of these resorts and the great

evil they have wrought in the community has

but to turn to the report of that committee, published under the title of "The Social Evil,"

Under the liquor tax law as it exists

hotel permit must be issued to any man who

swears that his place conforms to the hotel

provisions of the law. The Excise Depart-ment has no discretion. So valuable is the

hotel permit, on account of the practical

license which it gives to sell liquor on Sun-

days, that this provision of the law allures

men to commit perjury, and, as stated, the

large majority of hotel permits in this city

As these permits are issued on perjured

statements it would at first sight seem possi-

The Legislature has never made a proper financial provision for the enforcement of the law by the Excise Department, nor has the State Government ever asked for such a provision, both by that fact approving and abetting the Excise Department in its interpretation of its functions.

Chairman Committee of Fourteen. New York, March 28.

The Gentleman Under the Bottle and Chip Tests

TO THE EDITOR OF THE SUN-Sir: In my ex

perience around town a gentleman is a man who can handle either a bottle of wine or a pack of cards without losing for a second the courtesy, the urban-

ity, the kindliness and the manliness of a gentle-

man. It has been frequently said in New York clubs that alcohol and cards are the surest tests

of a gentleman. How often have I observed men who pretended to be gentlemen, whose environment entitled them to be considered gentlemen, after a

All gentlemen do not drink or gamble. Some

Giving Them Their Full Titles.

From Assembly Bill 1491.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. William C. Doane, Bishop of the Protest-

ant Episcopal Church in the diocese of Albany,

doctor of divinity, of Albany, New York; the Rev

erend Walton W. Battershall, doctor of divinity

Mister Robert C. Pruya of Albany, New York

Exceedingly Low Rates.

window of what was presumably a shoe shop:

MENS' SOULS REPAIRED, \$.60

WOMENS' AND CHILDRENS' SOULS REPAIRED, \$.40.

ELMIRA, N. Y., March 28. J. MAXWELL BEERS

say that no gentleman drinks or gambles. another story.

NEW YORK, March 29.

a body corporate and politic.

have been issued on perjured statements

in 1902.

Explanation of the Attitude of the Com-

Negative Definitions of an Indefinable Idea and Ideal. mittee of Fourteen. TO THE EDITOR OF THE SUN-Sir: I feel TO THE EDITOR OF THE SUN-Sir: disgusted with all those definitions of "a genery properly call attention to the fact that leman." Is there not a man with flesh and the State has never undertaken seriously blood at the bottom of that mysterious perand in good faith to enforce the provisions o sonality? Are not even Tom Jones and Don the liquor tax law as it reads to-day, and I Quixote better gentlemen than those patient, ordially thank you for doing so: all compromising, all pleasing individuals who further proceed to imply that the law as it never inflict pain and offend nobody, not even exists is satisfactory and that the attempts of those who would introduce amendments Do these meek, gentle natures ever feel a simplifying the law or rendering it enforceflush of natural indignation at a mean able, such as the efforts now being made by and desploable deed, or the warm glow of the "Committee of Fourteen to suppress the admiration for a noble and heroic action?

Raines law hotels," are undesirable until effort has been made really to enforce the Do they ever forget their dignified patience and forbearance when they see a woman or a child maltreated? The Raines law was passed in 1896, and I Once upon a time a certain Lord Chesterand others with whom I am now associated field brought out a "complete gentleman," but bluff old Dr. Samuel Johnson hit the nice in efforts to secure an amendment to this law have labored for ten years in what you call creature on the head with a sledgehammer, the "very prosaic and commonplace" method and it has never recovered since. of attempting to secure its enforcement like to hear what Dr. Johnson would have to It is because we have found that the law cansay about Newman's description of a gentleot be enforced in its present condition and that it is a creator of vice that we desire to

All the definitions that have appeared in THE SUN agree in one quality. All of them are negative and tell us what not to do. The law as it now stands has, as I presume no one will question, created and fostered the They remind us of the words of John Stuart Raines law hotels. By actual count in Buffalo Mill on Christian morality (so called): and this city two out of every three "hofels" Its ideal is negative rather than positive; passive are infamous resorts, conducted in violation of the law. The genesis of these resorts and their character and influence on the commu-

rather than active; innocence rather than noble ness; abstinence from evil, rather than energetic pursuit of good; in its precepts "thou shall not" predominates unduly over "thou shalt."

"GENTLEMAN" POSITIVE.

predominates unduly over "thou shait."

If "gentleman" means no more than what is implied in the definitions in The Sun the English speaking nations have no reason to be proud of the word. Not only the Greek (Kalokagathol) and Romans, but almost all modern nations have equivalent terms which mean a great deal more essential qualities of character, conduct and manners. Although German is my mother tongue I love English literature and I cannot help feeling sorry when the grand old name of gentleman is thus lowered.

when the grand old name of gentleman is thus lowered.

One might just as well try to define "love" as to express the je ne sais quoi that makes up a true gentleman. Real life, biographies, novels and poetry may give us an idea of certain types of gentlemen—and there are many kinds, degrees and conditions—but the idea is always founded upon our more natural feelings of admiration, respect and love which the man inspires in us by his whole personality and life. As long as the men of the English speaking nations are capable of such feelings they will keep the ideal and name of "gentleman" among the sacred words of their language like "wife" and "mother" and "home.

New York, March 29.

Mr. Spooner's Great Speech.

As these permits are issued on perjured statements it would at first sight seem possible to prosecute the proprietors for perjury under the criminal law. For legal purposes, however, these false affidavits do not constitute perjury on account of the nature of the evidence which the courts require. The Excise Department has always maintained that the law should be enforced by the criminal authorities and that revocation of the license should ensue only as the result of criminal prosecution. The decisions and practice of the courts, not only in regard to the evidence for perjury but also in regard to the evidence for perjury but also in regard to the evidence for perjury but also in regard to the evidence required in the case of other violations, render it practically impossible to convict the proprietors of these places under the criminal provisions of the law even where the police do their duty. All who have ever attempted to secure the enforcement of these provisions agree in saying that they are practically useless so far as our larger cities are concerned, and especially so far as New York is concerned. Indeed, the criminal provisions of the liquor tax law serve principally to corrupt the police and induce and enable them to levy blackmail.

The law does, however, provide a much more effective and a much wiser method for its own enforcement, viz., through civil procedure, either by the individual is concerned this provision is useful only in a small way and for special cases. The really effective (in posse) part of the law is that which provides for the revocating of a license by the Excise Department through civil procedure for false statements in securing said license or for breach of the law after it has been secured. These provisions have proved in practice entirely enforceable and very effective where enforced. But, as you have indicated, the State through its Excise Department from the outset true, to issue a license or a hotel permit once issued, the State Commissioner of Excise may instantly take ste TO THE EDITOR OF THE SUN-Sir: The speech of Senator Spooner of Wisconsin in opposition to the amendment proposed by enator Bailey to the so-called Hepburn bill. as it appears in the Congressional Record this morning, constitutes the principal part of one of the most interesting and notable debates upon a great question of constitutional

law that have ever occurred in Congress.

It was a favorite thesis of the late Senat Hoar that the Senate of the United States has undergone no deterioration; and this view may well be accepted as long as that body is found to contain a lawyer with adequate ability and learning as a jurist to grapple with and strangle, on the its presentation, a proposition like that maintained by the Senator from Texas, which in the last analysis asserts for the Congress of the United States nothing else s than the powers of an omnipotent parliament over the agencies and property engaged in interstate commerce.

The speech of Senator Spooner shows that the Senate to-day possesses among its members a lawyer and jurist who will rank in the annals of Congress with the ablest men of the bar who have ever occupied seats in that

body.

The ultimate effect of that great argument is to show that unless Congress possesses the unlimited powers of an omnipotent legislabut the license or hotel permit once issued, the State Commissioner of Excise may instantly take steps to cause its revocation. Had the Excise Department from the outset used the power which this provision of the law gives to protect the community the evil of the Raines law hotels would probably never have reached its present proportions; but the Excise Department has from the outset regarded itself merely as an agency for the sale of licenses. It has been an extremely effective revenue agency and has largely increased the revenues of the State and of Individual localities by its efficiency in selling liquor licenses and hotel permits at a high figure. But really to enforce the law by supervising the saloons and hotels to which licenses have been sold in order to see that they comply with the provisions of the law the Excise Department would probably have required many more inspectors than it has at present and consequently a larger appropriation.

The Legislature has never made a proper financial provision for the enforcement of ture, like the British Parliament, it can no more deprive the established courts of the United States of the right and authority to grant the agencies engaged in interstate commerce preventive relief, by preliminary or interlocutory injunction, against the arbitrary or unlawful action of any Interstate Commerce Commission, in respect to their compensation for services rendered, than it could confiscate their property by direct and

express legislative mandate or decree. In fact, an act like the one proposed by Senator Bailey and the new Senator from Maryland would not fall within the domain of law at all, but would amount to an attempted exercise by Congress of purely personal and arbitrary power, for which, as the Supreme Court has often said, no place is or under the Constitution of the United States. WASHINGTON, March 28.

The Yale Cumulative Hymn

To THE EDITOR OF THE SUN-Sir: Apropos of Yale's great song, mentioned in several communications recently in THE SUN, it has been unani-mously decided, after a painstaking canvass of Yale men, living, dead and embryonic, to change the title of said song, with a view to its conforming more closely to the well known Yale sentiment. In the future this song will be known as and will be sung in no other way than "For Yale, for Country and for God."
NEW YORE, March 29. O'TEMPORA.

TO THE EDITOR OF THE SUN-Sir: Your correspondent, "Yale Club." who asserts in your issue of March 28 that the user of the phrase "the Har-vards," to denote a Harvard crew or nine, is necessarily a "mucker," is surely at fault. The plural s not now good college usage, but it was once quite so; witness the classic ballad, "The Son of a Gam "And if I had a boy, sir, I'd put him on the crew

And he should wax the Harvards as his daddy used to do."

provision, both by that fact approving and abetting the Excise Department in its interpretation of its functions.

But whatever might have been possible at the outset, the evil of the Raines law hotels has now assumed such enormous proportions that even were the Excise Department to be administered with a view not merely to selling licenses but also to enforcing the law it would find itself quite unable to cope with the evil. At the same time a very simple and most commonsense modification of the law in one particular would largely remedy this evil of Raines law hotels, at least as it would prevent most of these infamous resorts from securing hotel permits in the future; a provision that all hotels shall be inspected by the Building Department or corresponding local officials to ascertain whether they comply with the provisions of the hotel law, that a list of all places which do comply with those provisions be filed with the Excise Department and that hotel permits shall be issued only to places so listed which have been proved by investigation to comply with the provisions of the law. This adds no new provision to the liquor tax law but merely secures enforcement of existing provisions. It stops a very evident leak in the law. It does not burden the Excise Department with expensive and undesirable police duties. The Committee of Fourteen believes, as a result of experience in trying to enforce the law, that this ounce of prevention will be worth many pounds of attempted cure after the permits have been issued.

You say that the Legislature has always shown itself willing to do its part in legislating for the enforcement of the liquor tax law. I trust that such may prove to be the case this year. We did not find it so last year, nor up to the present time have we found it to be the case this year.

Chairman Committee of Fourteen. As to the allegation of a presumable Harvard mate Dr. Henry Durand's stirring song, "For God, for Country and for Yale," constitutes an anti-climax, he apparently belongs to that curious coterie of purists who would have any three things mentioned together arranged in climactic ordera requirement that certainly has no warrant in good English usage. That a Yale man's love for his alma mater should be thought worthy of mantion in the same breath with religious devotion and re-ardor doubtless appears odd to a Harvard man. There's a difference. ARTHUR E. BOSTWICK.

NEW YORK, March 29. "Long-Tall-Jim" Wilson's Home.

TO THE EDITOR OF THE SUN—Sir: Your Brook-lyn correspondent "I. S." is mistaken in giving Peterboro, N. H., as the home of the late Gen. James Wilson, who was so conspicuous in the Harrison campaign of 1840, known throughout New England as "Long-tall-Jim Wilson," and the lifelong friend of Daniel Webster, who rightly pronounced him the best stump speaker of the period. Gen. Wilson lived and died in Keene, N. H. He was my father's neighbor (also his pallbearer). and I knew "Long-tall-Jim" Wilson and his entire

highball or two or a quart of the fizzy, become distressing cads, boasters, backbiters, brutish insolent, scurrilous and even obscene. family from my earliest boyhood.

It was in Gen. Wilson's parlor that I first saw Just so in cards. Vencer gentlemen betray Mr. Webster, and was presented to the great statesthemselves around the poker and the bridge whist man by the General himself as "one of our Keene boys." The occasion was a grand "Log Cabin Rally" in Keene in July, 1840, and a public receptable. By pettish words and acts they easily prove that they are not thoroughbred losers or winners. A gentleman accepts good or ill fortune with equa-nimity. By no word or act does he offend the sen-sibilities of those about him at the table.

tion which followed at Gen. Wilson's house.

Mr. Webster was then in his magnificent prime and though I often met the great man in after years I can never forget the impression of that evening in Keene when I first saw him, or fail to recall the pressure of that hand upon my shoulder as he spoke a few kind words of greeting to the

timid lad of sixty-six years ago. NEW YORE, March 28. GRAMERCY PARK

Boarders or Glue the Question. From the Lewiston Journal. Over in Southwest Harbor it is a case of summer

into the heavenly nostrils of the summer guest and makes him iii. There are five hotels and thirty cottages in Southwest Harbor. of Albany, New York; the Reverend Edgar A. Enos, doctor of divinity, of Troy, New York; Mister George P. Hilton of Albany, New York, and Mister Hobart W. Thompson of Troy, New York, and their successors are hereby constituted

They pay the town more than \$10,000 a seaso -cold cash. The glue factory is a good industry and is established in good faith. The comundrum is hard to solve. Which will leave? On general principles we should say that the glue would stick.

boarders or glue factory. One or the othermust go. Southwest Harbor must decide: for glue smells

Treason! Load the Martinis. From the Boston Commonwealth

To the Editor of the Sun-Sir: I received a joil the other day when I saw this placard in the These soldiers of the criss-cross have always been strong on martial duty and shy on civic duty. It is a law that no Ancient shall sit in the jury box and pass opinion on his fellow men. It is a good law. Any citizen of Boston who ever stood on the street corner, with bated breath, and saw the An cients going by with their breaths baited will agrethat it is a good thing to keep the Ancient and